

REMARKS

The above amendment is made in response to the Final Office Action mailed September 9, 2005. Claims 1-33 are pending in the present application and stand rejected. Claims 1-3, 5, 13 and 22 have been amended. The Examiner's reconsideration is respectfully requested in view of the above amendments and the following remarks.

Claims 1, 13 and 22 stand rejected under 35 U.S.C. § 101. The rejected claims have been amended. Withdrawal of the rejections under 35 U.S.C. § 101 is respectfully requested.

Claims 1-3, 7-15, 19, 28 and 30-33 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Buist (U.S. Patent No. 6,408,282) in view of Phillips et al (U.S. Patent No. 6,501,833) (hereinafter "Phillips"), and further in view of Broka et al. (U.S. Patent No. 5,809,483) (hereinafter "Broka"). Claims 4-6, 16, 18, 25-27 and 29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Buist in view of Barr et al (U.S. Patent No. 5,761,442) (hereinafter "Barr").

It should be noted that page 6, number 9, refers to "Barr." Applicants assume this to be a typo and will disregard.

Regarding claims 1, 13 and 22, the Examiner cites Figure 22 of Broka as teaching "baseforms." Figure 22 of Broka is an illustration of a Register to Quote window, which is described starting on col. 15, line 50. There are a number of significant problems with the Examiner's argument. First, the disclosure of Broka is completely unrelated to speech recognition, so it unclear how Broka teaches "baseforms." Second, the citation of Broka for teaching "baseforms" conflicts with "wherein each of the *baseforms* corresponds to a *pronunciation* of each of the at least one name," as claimed in claims 1, 13 and 22. The

Broka disclosure is entirely unrelated to the *pronunciation* of names by a speech recognition system. Third, the Examiner's argument conflicts with the citation to col. 3, lines 51-64 of Phillips, which states that a "baseform represents and [sic] idealized pronunciation of a word." It is unclear how the Examiner is intending to combine the disparate citations of Broka and Phillips.

Regarding claims 1, 13 and 22, the Examiner argues that Figure 28 of Broka teaches "automatically updating the grammar file to correspond with the updated database." Figure 28 illustrates a ticker window. It is unclear which are the names and which are the weights of the claimed "grammar file." Applicants assume that "AS.GA", "A.ZZ" and "AAG.GA" are the names and "bid, ask and size" are the weights in a grammar file. But it is not shown that the names and weights are updated to correspond with the updated database.

Further, it is generally unclear which portion of Broka (or Buist, Phillips) is the database and which part of Broka is the grammar file. Broka describes only a single entity: the Fixed Income Pricing System (or "FIPS"). Both citations to Figures 22 and 28 show windows that are part of the FIPS system taught in Broka. Broka does not distinguish a database (with the claimed entries) from a grammar file, which is updated to correspond to the updated database.

Regarding claims 13 and 22, the Examiner argues that "ASK" or "SIZE," as shown in Figure 20(a) of Broka, teaches a "weight." Then, the Examiner cites Figure 43A of Buist for showing "IBM international has a 'volume' of 980,000" and Figure 51 of Buist for showing "Dell Computer corporation has a 'volume' of 2,450,987." Based on these two disparate citations, the Examiner somehow concludes, "*therefore the weights of IBM*

and DELL are based on their respective volumes.” It is unclear what the “weights of IBM and DELL” are. It is also unclear to Applicants how the values of “ASK” and “SIZE” of Broka are based on the volumes shown in the disparate reference of Buist.

Regarding claim 13, the Examiner cites col. 10, lines 53-54 of Buist as teaching “automatically updating the database on a pre-specified basis, including adding new entries for newly listed stocks and newly listed funds and removing any of the plurality of entries corresponding to newly unlisted stocks and newly unlisted funds.” The recited portion of Buist states the following: “In the updated order book, the accepted order to sell has been removed.” It is unclear how this citation to Buist is even remotely associated to claim 13. First, the citation to Buist is unrelated *to newly listed and unlisted stocks and funds*. Second, as claimed in claim 13, an entry includes *associated names, weights, and baseforms*. Thus adding an entry necessarily includes adding an entry with associated names, weights and baseforms. Similarly, deleting an entry involves deleting associated names, weights and baseforms. The Examiner has not shown the removal or addition of such entries *with associated names, weights, and baseforms*, in response to *newly listed and unlisted stocks and funds*.

The Examiner does not explain how the combination of disparate citations from seemingly non-analogous art forms a database entry as claimed in claims 1, 13 and 22. As previously noted, each database entry comprises (1) at least one name of the publicly traded stock or publicly traded fund, (2) a weight for the at least one name, and (3) baseforms of the at least one name. The Examiner has not shown a database entry with all three parts. Further, the citations to disparate teachings in three non-analogous references

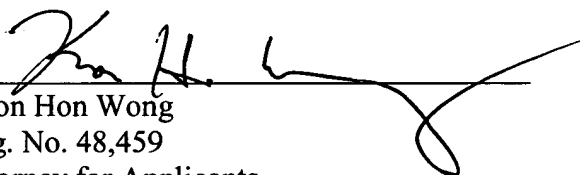
strongly indicate an attempt to selectively piece together the instant claims using the benefit of hindsight.

Accordingly, independent claims 1, 13 and 22 are believed to be patentably distinguishable and nonobvious over the combination of Buist, Barr and Broka. Dependent claims 2-12, 14-21 and 23-33 are believed to be allowable for at least the reasons given for claims 1, 13 and 22. Withdrawal of the rejection of claims 1-33 is respectfully requested.

In view of the foregoing remarks, it is respectfully submitted that all the claims now pending in the application are in condition for allowance. Early and favorable reconsideration is respectfully requested.

Respectfully submitted,

By:


Koon Hon Wong
Reg. No. 48,459
Attorney for Applicants

F. CHAU & ASSOCIATES, LLC
130 Woodbury Road
Woodbury, NY 11797
Telephone: (516) 692-8888
Facsimile: (516) 692-8889